

**REMARKS**

With reference to Item 3 of the Official Action, the Examiner states "Van Gogh would surely have painted the objects as well as the area of the image from the objects". The Applicant respectfully submits that the Examiner has construed the claim incorrectly in that the Examiner has inferred that "from the object" means from a position external to the object. The Applicant respectfully submits that the expression "from the object" is inclusive of painting from a position starting within the object itself, that is, within the outline of the object. The claim, the Applicant respectfully submits, does not define the strokes as starting from an edge of the image or some other feature of the image. The expression "from the object" would be construed by a person skilled in the art as from a centre or central area of the object.

Referring to Item 4 of the Official Action, the Examiner is referred to page 12 first text paragraph after algorithm, where the specification as originally filed described features having a size less than 20 pixels. It is respectfully submitted that it is clear to the person skilled in the art or otherwise that a feature includes an edge. Moreover, the step of discarding follows skeletonising the objects in the image which the Applicant respectfully submits is equivalent to forming edges about a particular object which may include features such as eyes or nose in a face.

Referring to Item 5 of the Official Action the Applicant would again argue that the Examiner has unnecessarily and restrictively interpreted the claim. The Applicant respectfully submits that the "claimed features" are indeed inclusive of the "described edges" at the passage referred to by the Examiner at page 8 lines 9 and 10. The Examiner has not given a construction of claim 1 such that the "claimed features are not the described edges". If they are not then what are they? The Examiner has taken a positive statement in these objections in Items 4 and 5 and the Applicant respectfully submits that support for or such alternative construction as is entertained by at least this expression, in claim 1 be provided.

The Applicant also notes that the use of the term "features" was made in the claims as originally filed. This is a third Office Action and the Applicant enquires as to why this objection was not previously raised. While it may be the case that discarding a feature of a size less than 20 pixels was not previously claimed discarding features of a length greater

than a predetermined minimum was claimed and, in referring to features such as edges, the description goes on to state that a predetermined minimum was typically 20 pixels (see page 12). The Applicant respectfully submits that they are not required in the absence of prior art restricting the scope of the claim to limit the claims to the preferred embodiment.

The Applicant respectfully submits that claims 1-4 and 7 are claiming subject matter which was described in the specification as filed in such a way as to reasonably convey to one skilled in the art that the inventor at the time the application was filed had possession of the invention as claimed. The Applicant respectfully submits that the rejection under 35 USC 112, first paragraph, be withdrawn. The Applicant further respectfully submits that all claims are in order for allowance and looks forward to receiving a notice thereof in due course.

In view of the foregoing it is respectfully contended that all claims now pending in the above identified Patent Application recite a novel and not obvious method which is patentably distinguishable over the prior art. Accordingly, withdrawal of the outstanding rejection and the allowance of all claims now pending are respectfully requested and earnestly solicited.

Very respectfully,

Applicant:



---

KIA SILVERBROOK

C/o: Silverbrook Research Pty Ltd  
393 Darling Street  
Balmain NSW 2041, Australia  
Email: [kia@silverbrook.com.au](mailto:kia@silverbrook.com.au)  
Telephone: +612 9818 6633  
Facsimile: +61 2 9818 6711

**VERSION WITH MARKINGS TO SHOW CHANGES MADE****In the Specification**

Paragraph beginning at line 28 on page 13 has been amended as follows:

--1. Firstly, for a set of evenly spaced parameter values on the Bézier curve between (and including) 0.0 and 1.0, for each parameter value  $P[N]_n$  (Fig. 3) the curve value 30 a normalised tangent 31 and normalised normal 32 are calculated. --

Paragraph beginning at line 9 on page 14 has been amended as follows:

-- Turning to Fig. 4, the end result of the offset of curves in accordance with step 7 of Fig. 1 is to produce for a series of Bézier curve segments C1, C2 etc. Firstly, a series of parametrically spaced points, P1 - P5. Next, the normalisation points N1 - N5 are produced (corresponding through to point 36 of Fig. 3), for each of the points P1 - P5. Next, the resultant piece-wise Bézier curve segment 40 is produced by utilising the points in N1 - N5. This process is then repeated for the opposite curve comprising the points N6 - N10 and curve 41. This process is then repeated for each of the subsequent piece-wise curves C2 etc. The result is the two curves of 40, 41 being substantially parallel to one another and having a spaced apart width of approximately one brush stroke. --

Paragraph beginning at line 17 on page 14 has been amended as follows:

-- Next, a series of brush strokes are placed into the output image along the curves. The strokes are oriented in accordance with the curve tangent direction. Each brush stroke is defined to have a foot print which defines where it may not overlap with other brush strokes. A brush stroke may only be placed along the curve if its foot print does not conflict with the foot prints already present in the output image. Any curves that do not have any brush strokes placed along them are discarded and the process of steps 7 and 8 are iterated in a slightly modified form until no curves are left. The slightly modified form of step 7 is to offset the curves by one brush stroke in the outward direction rather than the half brush stroke necessary when offsetting curves from the curve C1 of Fig. 4.--